

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Director
SUBJECT: BOARD OF APPEAL REFERRALS

April 17, 1969

Re: Petition No. Z-1426
Charles Street A.M.E. Church
551 Warren Street, Roxbury

Petitioner seeks a Conditional Use Permit for a change of occupancy from a Church to a Church and day care center in a Residential (R-.8) district. The proposal would violate the code as follows:

Sect. 8-7 A day care center is a Conditional Use in an R-.8 district. The property, located on Warren Street at the intersection of Warren Street and Elm Hill Avenue in the Washington Park Urban Renewal Area, contains a church. The structure is situated primarily in a Local Business (L-1) district where the proposed nursery is allowed. The petitioner would temporarily lease its facilities to the Ecumenical Center in Roxbury, Inc., which proposes to conduct a day care center accommodating 60 children. The Center will erect its own buildings in the near future. The proposal would provide a beneficial service to the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1426, brought by Charles Street A.M.E. Church, for a Conditional Use Permit for a change of occupancy from a Church to a Church and day care center in a Residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The structure is situated primarily in a Local Business (L-1) district where the proposed facility is allowed. The nursery would provide a beneficial service to the neighborhood.



Re: Petition No. Z-1427
Massachusetts General Hospital
25 Commonwealth Avenue, Boston

Petitioner seeks a Conditional Use Permit and a variance for a change of occupancy from a one family dwelling to a dormitory in an Apartment (H-5) district. The proposal would violate the code as follows:

Sect. 8-7 A dormitory not accessory to an elementary or secondary school, college or university is a Conditional Use in an H-5 district.

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 23-1 Off-street parking is insufficient	5 spaces	2 spaces

The property, located on Commonwealth Avenue near the intersection of Commonwealth Avenue and Berkeley Street, contains a three story brick structure. The petitioner proposes to convert the single family residence to a dormitory for 29 student nurses. In effect, this would be an extension of the abutting property at 27 Commonwealth Avenue which is owned by the petitioner and legally occupied as a dormitory for student nurses. There would be no parking at the site as the petitioner requires all dormitory occupants to use its main hospital parking facilities.

VOICED: That in connection with Petition No. Z-1427, brought by Massachusetts General Hospital, 25 Commonwealth Avenue, Boston, for a Conditional Use Permit and a variance of insufficient parking for a change of occupancy from a one family dwelling to a dormitory in an Apartment (H-5) district, the Boston Redevelopment Authority recommends approval. The proposal would be an extension of the abutting dormitory at 27 Commonwealth Avenue. The petitioner has indicated that there would be no parking at the site.

Re: Petitions Nos. Z-1429-Z-1430
John T. Rogan, Trustee
626(rear) & 630 Gallivan Blvd., Dorchester

Petitioner seeks a Forbidden Use Permit and a variance to erect a one story tire storage structure and a variance to erect a one story addition to an existing retail kitchen store in a Residential (R-.5) and Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
626(rear) Gallivan Blvd. - R-.5 district			
Sect. 8-7	A warehouse is Forbidden in an R-.5 district		
Sect. 20-1	Rear yard is insufficient	40 ft.	1 ft.
630 Gallivan Blvd. - L-.5 district			
Sect. 20-1	Rear yard is insufficient	40 ft.	1 ft.

The property, located on Gallivan Boulevard between Adams Street and Neponset Avenue, contains two concrete structures housing six retail and service stores. The proposed tire storage facility is undesirable and represents a further encroachment of commercial land uses in a residential two family neighborhood. The proposed expansion of the kitchen outlet would reduce the existing rear setback of 40 feet to approximately one foot. The reduction of rear yard setback would be incompatible with the surrounding residences. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1429-Z-1430, brought by John T. Rogan, Trustee, for a Forbidden Use Permit and two variances of insufficient rear yard to erect a one story tire storage building and erect a one story addition to an existing retail store in a Residential (R-.5) and Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. The proposed tire warehouse and the expansion of the kitchen outlet represent an undesirable commercial land use encroachment on a residential two family neighborhood.

An aerial photograph of a residential neighborhood. The image is oriented with a compass rose in the top right corner, showing North (N), South (S), East (E), and West (W). A street grid is visible. A street running vertically is labeled 'ST. MARSH' and another running horizontally is labeled 'ST. ...'. House numbers are visible on several lots, including 4000, 3978, 3000, 2740, 11,440, and 4228. A large, irregularly shaped lot is labeled 'Z-1432' and '651 GALLIVAN BLVD'. Other smaller lots are labeled with numbers like 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100. The image is somewhat faded and has a grainy texture.

GALLIVAN

[illegible]

Z-1429-30
626(rear) 8. 630 GALLIVAN
(DOR.)

This is a detailed street map of a residential area in St. Louis, Missouri. The map shows the intersection of Boulevard (running vertically on the left) and Wall Road (running horizontally at the bottom). Gallivan Blvd. runs diagonally from the bottom left towards the top right. The map includes several property lots, each with a number. A large lot is numbered 5651, and another lot is numbered 29,512. A parking area is labeled 'PARKING' and contains a lot numbered 8440. Other lots are numbered 3282, 9369, 19,250, 6420, and 708. The map also shows a street named 'STREET' running horizontally across the middle. The map is oriented with Boulevard on the left and Wall Road at the bottom.

Re: Petition No. Z-1431
Eleanor M. Young
825 Columbia Road, Dorchester

Petitioner seeks a Forbidden Use Permit and two variances to legalize the occupancy for an open air fruit and flower stand in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	Outdoor sale or display and sale of agricultural produce, flowers and the like is Forbidden in an H-1 district.		
Sect. 14-1	Lot area is insufficient	5000 sf	4171 sf
Sect. 18-1	Front yard is insufficient	25 ft.	5 ft.

The property, located on Columbia Road at the intersection of Columbia Road and Buttonwood Street, contains an open air fruit and flower stand. The use has existed at the site for many years. The petitioner proposes to operate the stand from March to October. The staff has no objection provided that the petitioner supply adequate landscape screening (i.e., shrubbery) between the stand and the residences on Buttonwood Street and that the lot be maintained and kept free of litter and debris. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1431, brought by Eleanor M. Young, 825 Columbia Road, for a Forbidden Use Permit and variances of insufficient lot area and front yard to legalize the occupancy for an open air fruit and flower stand in an Apartment (H-1) district, the Boston Redevelopment Authority has no objection to the granting of the variances provided that the petitioner supply adequate landscape screening (i.e., shrubbery) between the stand and the residences on Buttonwood Street and that the lot be maintained and kept free of litter and debris.



Re: Petition No. Z-1432
Northeast States Investment Corp.
651 Gallivan Boulevard, Dorchester

Petitioner seeks a Conditional Use Permit and a variance to erect a one story gasoline service station office and display building, a metal canopy, and a rotating sign in a Local Business (L-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 A gasoline service station is a Conditional Use in an L-.5 district		
Sect. 18-1 Front yard is insufficient	15 ft.	2 ft.

The property, located on Gallivan Boulevard at the intersection of Gallivan Boulevard and Marsh Street, presently contains a gas service station and office building. The petitioner proposes to demolish the existing office building and erect a modern office facility, new service pumps and covering canopy, and a rotating sign. There is no objection to the proposed new facility which would be more attractive than the existing facility and would enhance the area. The staff, however, recommends that the petitioner provide adequate screening (fencing or shrubbery) between the proposed facility and the abutting residence on Marsh Street. A similar petition was approved with proviso by the Authority in August but the petition was apparently withdrawn and was not acted upon by the Board of Appeal. Recommend approval with proviso and that the proposed design and placement of the rotating sign be submitted to the Authority for design review approval.

VOTED: That in connection with Petition No. Z-1432, brought by Northeast States Investment Corp., 651 Gallivan Boulevard, Dorchester, for a Conditional Use Permit and a variance of insufficient front yard to erect a one story gasoline service station office and display building, a metal canopy and a rotating sign in a Local Business (L-.5) district, the Boston Redevelopment Authority has no objection to the granting of the petition provided that the petitioner furnish adequate screening (fencing or shrubbery) between the proposed facility and the abutting residence on Marsh Street and that the proposed design and placement of the rotating sign be submitted to the Authority for design review approval.



GALLIVAN

MINOT

RITA

GRAYSON

BELTON

FRAZER

ST. MARSH

BOULEVARD

GALLIVAN BLVD.

ROAD

STREET

VENLOCK

STOCK

GILMARTIN RD

SAINT BRENDAN'S
ROMAN CATHOLIC
CHURCH

Z-1429-30
626(rear) 8 630 GALLIVAN
(DOR.)

Z-1432
651 GALLIVAN
(DOR.)

GALLIVAN

WALL

MARSH

PARKING

5650

5651

5651

5651

36

32,500

19,250

29,512

29,512

11,712

95,600

7013

7013

8440

6420

6420

4675

4250

3400

4797

4515

5086

10036

4803

32,050

19,250

13,787

14,000

18,985

18,985

3852

4471

4472

3991

3972

2962

3289

3449

3280

3651

3278

3493

3431

3291

3212

6400

3207

3200

3978

4000

4000

4225

11,440

8440

3000

4866

6266

G'HSF

Re: Petition No. Z-1433

James M. Kickham

812 Centre Street, Jamaica Plain

Petitioner seeks seven variances to erect a three story and basement 16 unit apartment building in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sf/du	400 sf/du
Sect. 15-1	Floor area ratio is excessive	0.8	1.38
Sect. 17-1	Usable open space is insufficient	800 sf/du	100 sf/du
Sect. 18-1	Front yard is insufficient	20 ft.	10 ft.
Sect. 18-3	Corner traffic visibility is insufficient		
Sect. 23-1	Off-street parking is insufficient	16 spaces	11 spaces
Sect. 10-1	Parking not allowed in front yard nor within 5 feet of side lot line		

The property, located on Centre Street at the intersection of Centre and Bulfinch Streets, contains a two story frame structure which would be demolished. The proposed development is unreasonable and would be incompatible with the residential character of the neighborhood. Vehicular access and maneuvering areas are inadequate. The petitioner's plan indicates three parking spaces situated in the access areas to the street. Any increase in density would have an injurious effect on the adjacent two and three family residences in the area. Recommend denial.

VOTED: That in connection with Petition No. Z-1433, brought by James M. Kickham, 812 Centre St., Jamaica Plain, for variances of insufficient lot area for additional dwelling unit, open space, front yard, and corner traffic visibility, off-street parking, excessive floor area ratio and parking not allowed in front yard nor within five feet of side lot line in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Vehicular access and maneuvering areas are inadequate. The petitioner's plan indicates three parking areas situated in the access areas to the street. The proposed development is incompatible with and would have an injurious effect on the adjacent two and three family residences in the area.



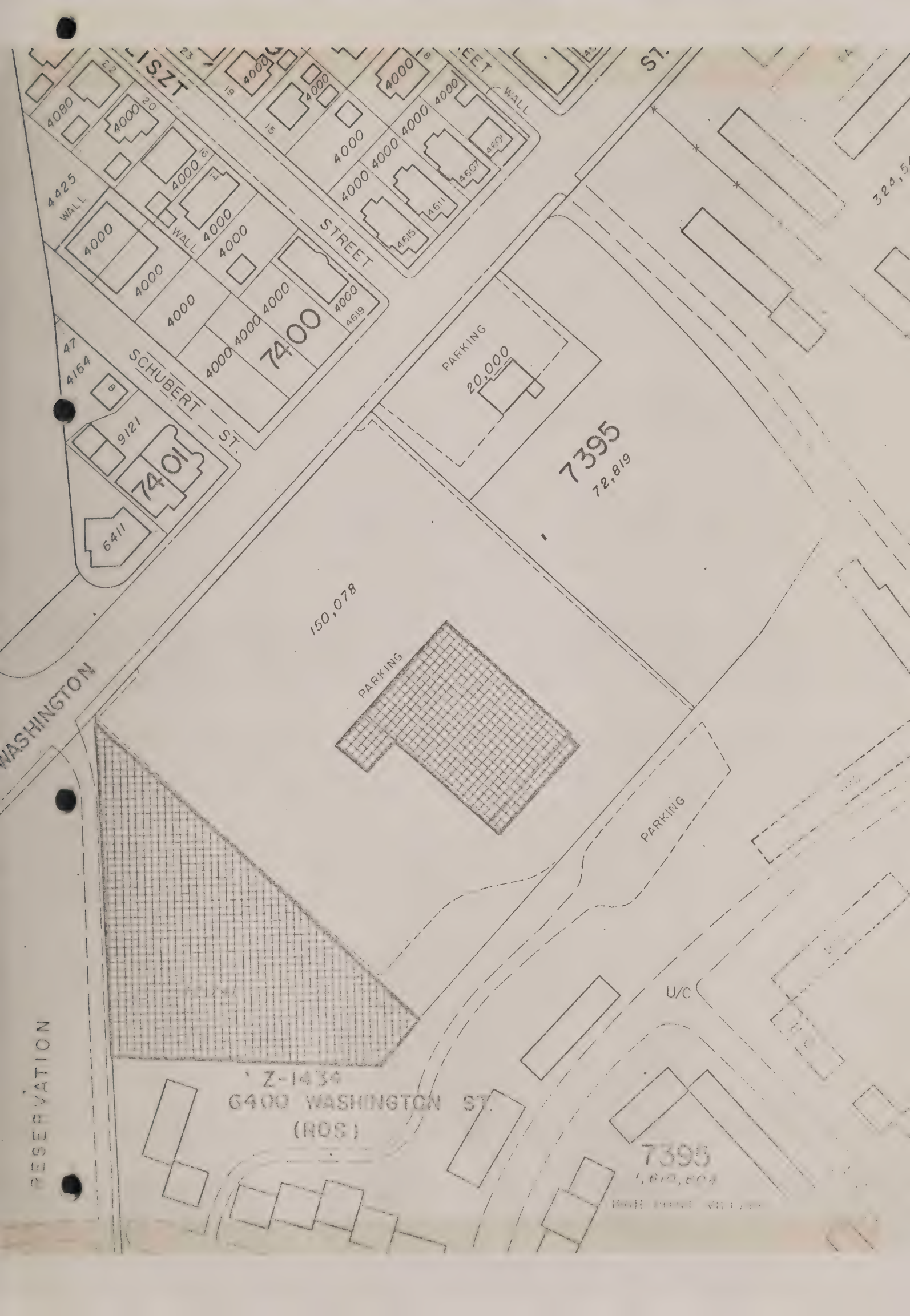
Re: Petition No. Z-1434
First National Stores
4600 Washington Street, Roslindale

Petitioner seeks a Conditional Use Permit and a variance of insufficient front yard to erect a one story gasoline service station in a Local Business (L-.5) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 A gasoline service station is a		
Conditional Use in an L-.5 district		
Sect. 18-1 Front yard is insufficient	25 ft.	0

The property, located on Washington Street at the intersection of Washington Street and Turtle Pond Parkway, contains the "High Point Village" shopping center in which the petitioner operates a supermarket. The petitioner proposes to erect a gas service facility at the right front side of the property. The proposed facility would encroach upon the existing front yard of the supermarket, would eliminate several existing off-street parking spaces, would impede and further intensify the congested traffic along Washington Street. Recommend denial.

VOTED: That in connection with Petition No. Z-1434, brought by First National Stores, 4600 Washington Street, Roslindale, for a Conditional Use Permit and a variance of insufficient front yard to erect a one story gasoline service station in a Local Business (L-.5) district, the Boston Redevelopment Authority recommends denial. The proposed facility would encroach upon the existing front yard of the supermarket, would eliminate several off-street parking spaces, would impede and further intensify the congested traffic along Washington Street.



WASHINGTON

LISZT

SCHUBERT

STREET

ST.

RESERVATION

Z-1434
6400 WASHINGTON ST.
(ROS)

150,078

PARKING

PARKING

20,000

7395
72,819

PARKING

U/C

7395
1,612,000

HIGH SCHOOL VILLAGE

320,500

Re: Petition No. Z-1435
Cities Service Oil Company
931 Bennington Street, East Boston

Petitioner seeks a Conditional Use Permit and two variances to erect a gasoline service station in a Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A gasoline service station is a Conditional Use in an L-.5 district		
Sect. 18-1	Front yard is insufficient	15 ft.	5 ft.
Sect. 20-1	Rear yard is insufficient	20 ft.	3 ft.

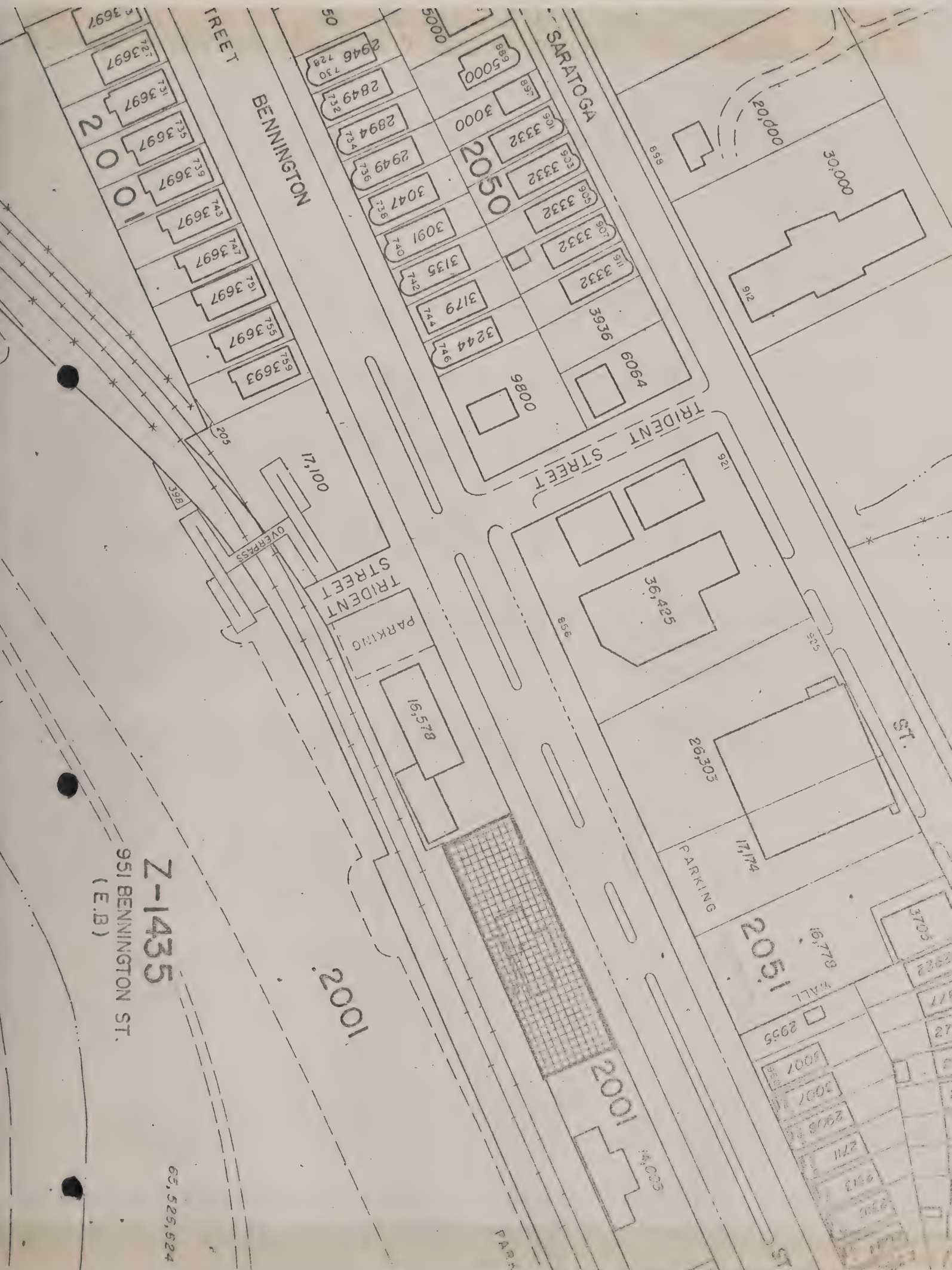
The property, located on Bennington Street opposite the intersection of Bennington and Trident Streets, contains a gasoline service facility. The petitioner proposes to demolish the existing facility and erect a modern two bay facility including a motor vehicle inspection bay. A gasoline service station has existed at the site for many years. The proposal would improve the appearance of the property. Recommend approval.

VOTED: That in connection with Petition No. Z-1435, brought by Cities Service Oil Company, 931 Bennington Street, East Boston, for a Conditional Use Permit and variances of insufficient front and rear yards to erect a gasoline service station in a Local Business (L-.5) district, the Boston Redevelopment Authority recommends approval. The petitioner proposes to demolish an existing gasoline service facility and erect a modern two bay and inspection bay facility. The proposal will improve the appearance of the property

951 BENNINGTON ST.
(E.B.)

201

65, 525, 524



Re: Petition No. Z-1436
Gerald Murcell
24-26 Green Street, Jamaica Plain

Petitioner seeks a Forbidden Use Permit and a variance for a change of occupancy from four apartments to five apartments in a Residential (R-.8) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7 A dwelling converted for more units and not meeting $\frac{1}{2}$ the lot area for additional units is Forbidden in an R-.8 district.		
Sect. 14-2 Lot area for additional dwelling unit is insufficient	1500 sf/du	0

The property, located on Green Street near the intersection of Green Street and Warren Square, contains a $2\frac{1}{2}$ story frame dwelling. The proposed conversion will not involve any exterior changes. The petitioner proposes to occupy the additional apartment. The proposed occupancy would be compatible with the residential character of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1436, brought by Gerald Murcell, 24-26 Green Street, Jamaica Plain, for a Forbidden Use Permit and a variance of insufficient lot area for additional dwelling unit for a change of occupancy from four apartments to five apartments in a Residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The proposed conversion will not involve any exterior changes. The occupancy is compatible with the residential character of the neighborhood.



Re: Petition No. Z-1437
Flaubert Peltier
8 Westcott Street, Dorchester

Petitioner seeks a variance to legalize occupancy for a one family dwelling and to extend an existing front porch in a Residential (R-.8) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 19-1 Side yard is insufficient	10 ft.	4 ft.

The property, located on Westcott Street near the intersection of Westcott Street and West Park Street, contains a $2\frac{1}{2}$ story frame dwelling. There is no record of the legal occupancy of the building in the Building Department and the petitioner has already enlarged and extended the front porch two feet into the side yard. This petition, therefore, would legalize the existing conditions. The side yard violation is minimal and would not have an injurious effect on the abutting residences. Recommend approval.

VOIED: That in connection with Petition No. Z-1437, brought by Flaubert Peltier, 8 Westcott St., Dorchester, for a variance of insufficient side yard to legalize occupancy for a one family dwelling and extend an existing front porch into the side yard in a Residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The petition would establish a record of legal occupancy for the building. The side yard violation of the porch, which has already been extended, is minimal and will not have an injurious effect on the abutting residences.



Z-1437
1.8 WESTCOTT ST.
(DOR)

Re: Petition No. Z-1438
Boston Lock & Safe Company
256 Lincoln Street, Brighton

Petitioner seeks two Forbidden Use Permits and three variances to erect a one story office, shop and warehouse building in a Residential (R-.8) district. The proposal would violate the code as follows:

		Req'd.	Proposed
Sect. 8-7	A warehouse is Forbidden in an R-.8 district		
Sect. 8-7	Repair of tools or hardware is Forbidden in an R-.8 district		
Sect. 10-1	Parking is not allowed in front yard		
Sect. 18-1	Front yard is insufficient	25 ft.	20 ft.
Sect. 19-1	Side yard is insufficient	10 ft.	0

The property, located on Lincoln Street near the intersection of Lincoln Street and Eric Road, contains 8000 square feet of vacant land. The proposed office, warehouse and shop for the repair of tools and hardware, would be situated between two-three family dwellings. The intrusion of a commercial-industrial facility is undesirable and non-conforming with the existing residential character of the area. Recommend denial.

VOTED: That in connection with Petition No. Z-1438, brought by Boston Lock & Safe Company, 256 Lincoln Street, Brighton, for two Forbidden Use Permits and variances of parking not allowed in front yard, insufficient front and side yards to erect a one story office, shop and warehouse building in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The intrusion of a commercial-industrial facility is undesirable and non-conforming with the existing residential character of the area.



PARKING
52,219

PENN

TURNPIKE

CENTRAL

Z-1438
256 LINCOLN ST.
(BRI)

FRANKLIN